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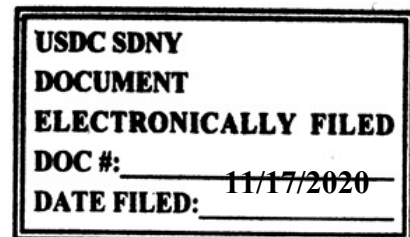
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November 17, 2020

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Via ECF

Magistrate Judge Katharine H. Parker, U.S.D.J.
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007

MEMO ENDORSED

Re: Mary J. Fayet v. Target Corp. and Princess Andrews
Case No.: 1:20-cv-03191-LTS
Our File No.: TARN-154-ML

Dear Judge Parker:

This office represents the defendants, Target Corporation and Princess Andrews in connection with the above matter. Please accept this letter in support of the defendants' application to Your Honor to extend certain discovery deadlines set forth in Your Honor's scheduling order of July 22, 2020 (docket #27) as well as adjourn the settlement conference before Your Honor presently scheduled for December 10, 2020.

The original (current) dates sought to be adjourned herein are as follows: Fact discovery – December 21, 2020; expert discovery - February 19, 2021; telephone settlement conference – December 10, 2020 (2:00 p.m.).

This is the first request for an adjournment or extension of any deadlines or dates. In addition, plaintiff's counsel consents to this application.

The reason for the requested extensions is primarily due to the difficulty our office has had in securing medical records. Please be aware that this is not a sudden development. We have obtained significant amount of records, but despite our best efforts, including serving subpoenas upon several medical providers and retaining a private record retrieval service, we have been unable to obtain records

Magistrate Judge Katharine H. Parker, U.S.D.J.

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relative to plaintiff's physical therapy, Montefiore Hospital and Dr. Anthony Petrizzo. At our most recent attempts on November 11, 2020, specifically with respect to both the physical therapist and Dr. Petrizzo, we were "promised" the same shortly, but as of this moment, have not received those records. Obviously, the pandemic has complicated matters.

The inability to obtain the aforesaid records has prevented us from taking plaintiff's deposition, which had been previously scheduled and adjourned pending receipt of said medical records. It is our expectation that should Your Honor grant the instant request, we will undertake plaintiff's deposition in early January, regardless of whether or not we have obtained the outstanding records.

Accordingly, if Your Honor grants the within request, the new fact discovery deadline would be February 19, 2021, and the new expert discovery deadline April 19, 2021.

As far as a new date for a settlement conference, we will of course leave that to Your Honor's selection, but a date in or about March 2021 would be most logical.

Thank you for Your Honor's time and attention to the within request.

Respectfully submitted,



Mitchell B. Levine

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cc: Christopher Sallay, Esq. – via email csallay@quellerfisher.com

APPLICATION GRANTED: Fact discovery deadline is hereby extended to February 19, 2021, and Expert discovery deadline is extended to April 19, 2021. The settlement conference in this matter currently scheduled for Thursday, December 10, 2020 at 2:00 p.m. is rescheduled to Wednesday, March 3, 2021 at 10:00 a.m. Counsel is directed to call Judge Parker's teleconference line at the scheduled time. Please dial (866) 434-5269, Access code: 4858267. The parties are instructed to complete the Settlement Conference Summary Report and prepare pre-conference submissions in accordance with Judge Parker's Individual Rules of Practice. Pre-conference submissions must be received by the Court no later than February 24, 2021 by 5:00 p.m.

APPLICATION GRANTED



Hon. Katharine H. Parker, U.S.M.J.

11/17/2020